

Serial No. 10/673,774
Art Unit 3721

Amendment A

Remarks:

Responsive to the Official Action mailed August 13, 2004 in which claims 1-7 were rejected, Applicant respectfully requests reconsideration, reexamination and allowance of claims 1-7 in view of the following remarks.

Examiner Paradiso has rejected claims 1-7 under 35 U.S.C. §103(a) as unpatentable over Shibasaki et al, U.S. Patent No. 5,442,899. Shibasaki is characterized as disclosing a strapping machine for positioning a strap around a load in which a chute is attached to a frame, a strap is guided around the chute and then the leading edge is welded to a second area of the strap by means of a strapping head and the strap is tightened and then sealed to itself.

The Examiner concedes that Shibasaki does not disclose the specifics of the cover hinges or pins, but states that the use of hinges and pins to provide swinging access doors for machinery is well known in the mechanical arts and that it would have been obvious to one of skill in the art at the time the invention was made to modify the invention disclosed in Shibasaki in the claimed manner to provide the most effective and complete access to the interior of the machine so that operator can access and troubleshoot as necessary.

The present invention is directed to a strapping machine that has, among other things, a slack box having a slack box cover and a first portion of a strap path from the slack box having a strap path cover over a portion of the path in which the strap path cover is mounted to the frame by a hinge common with the slack box cover. This arrangement permits the strap path cover and the slack box cover to be opened independent of each other functioning (and configured) from a common hinge, and further provides that a strapping head mounted to the frame is covered, in part, by the strap path cover.

Applicant submits that the rejection is improper for a number of reasons, first and foremost that the Examiner has not shown the Shibasaki has a slack box with a cover adjacent to a strap path, also with a cover. Nor has the Examiner shown any suggestion, motivation or teaching to make any such combination. Moreover, although the Examiner states that the use of hinges and pins to provide swinging access doors for machinery is well known in the mechanical arts, there is nothing that shows, states or otherwise makes obvious the two independent doors

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sharing a common hinge. Additionally, nor is there anything that would suggest to one to make a configuration such that a strapping head mounted to the frame is covered, in part, by the strap path cover.

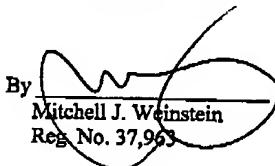
In summary, Applicant believes that the rejection is in error and respectfully traverses same. To this end, Applicant submits that claims 1-7 are allowable over the art of record and in condition for allowance and respectfully and earnestly solicits early indication of same.

Applicant submits that no fee is due in connection with the present AMENDMENT A. If, however, there is a fee due, the Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 23-0920.

Should the Examiner believe that a telephone interview would expedite prosecution and allowance of the present application, or address any outstanding formal issues, he is respectfully requested to contact the undersigned.

Respectfully submitted,

By


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